

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT GREENEVILLE

B.P., H.A., S.H., individually, and )  
on behalf of all others similarly situated, )  
Plaintiffs, )  
v. ) No. 2:23-CV-71-TRM-JEM  
CITY OF JOHNSON CITY, *et al.*, )  
Defendants. )

## ORDER

This case is before the Court pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

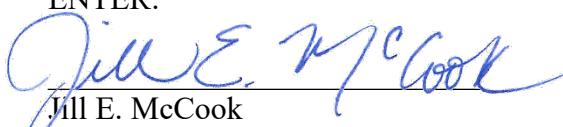
Now before the Court is the Motion to Depose Sean Williams [Doc. 370], filed pursuant to Rule 30(a)(2)(B) of the Federal Rules of Civil Procedure. Defendants respond that they do not oppose the motion, but they “request that each side be provided an equal amount of time to depose [Sean] Williams if this motion is granted” [Doc. 378 p. 2]. On October 11, 2024, the Court entered an order directing the parties to meet and confer over the matter and to “contact the facility where Sean Williams is being detained to determine whether the facility can accommodate a deposition” [Doc. 381]. On October 18, 2024, the parties filed a Joint Status Report, stating that they “have reached [an] agreement that the deposition of Sean Williams will be split equally per side (Plaintiffs 50% and Defendants 50%) [Id. at 1]. The parties represent that they “are corresponding with the relevant law enforcement officials to coordinate the logistics of the deposition” [Id.].

A party must obtain leave of court to depose a witness confined in prison, Fed. R. Civ. P. 30(a)(2)(B), and the Court must grant leave to the extent the request is consistent with Rule 26(b)(1) and (2), Fed. R. Civ. P. 30(a)(2). Rule 26(b)(1) and (2) provide for the scope

of discovery and the limitations on the frequency and extent. Here, the parties have agreed to proceed with Sean Williams's deposition, and the Court finds that the deposition is consistent with Rule 26(b)(1) and (2) given the allegations in the Second Amended Class Action Complaint [Doc. 121]. The Court therefore **GRANTS** the motion [Doc. 370]. The parties shall proceed pursuant to their agreement in the Joint Status Report [Doc. 399] and shall coordinate the logistics of the deposition with the officials at the facility where Sean Williams is being detained.

**IT IS SO ORDERED.**

ENTER:



Jill E. McCook  
United States Magistrate Judge